IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:

NEUHAUS, Ekkehard et al.

INTERNATIONAL

APPLICATION NO.:

PCT/EP99/03292

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SERIAL NO.:

09/674,768

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CONF:

Legal staff International Division

FILED:

8 November 2000

FOR:

TRANSGENIC PLANTS WITH A MODIFIED ACTIVITY

OF A PLASTIDIAL ADP/ATP TRANSLOCATOR

RENEWED PETITION UNDER 37 CFR 1.497(d)

PCT Legal Office Assistant Commissioner for Patents Washington, D.C. 20231

March 20, 2002

Attn: Bryan Tung

Sir:

In a communication dated 25 January 2002, the USPTO advised that Applicant's Petition Under 37 CFR 1.497(d) was dismissed because: (1) Joachim Tjaden's Assignment document was improperly and (2) the Assent of the Assignee to Correction and/or Addition of Inventor(s) did not evidence a change in inventorship. Applicant hereby submits an Assignment document properly executed by Joachim Tjaden and a new Assent of the Assignee to Correction and/or Addition of Inventor(s). The new Assent document evidences the change in inventorship from NEUHAUS, Ekkehard; MOEHLMANN, Torsten; GRAEVE-KAMPFENKEL, Karl-Heinz; TJADEN; Joachim; SCHELL, Jozef; MARTINI, Norbert to the joint invention of NEUHAUS, Ekkehard; MOEHLMANN, Torsten; GRAEVE-KAMPFENKEL, Karl-Heinz; and TJADEN, Joachim. Applicant respectfully requests that its petition under 37 CFR 1.497(d) be reconsidered.

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If there are any questions still to be resolved on this matter, the appropriate U.S. Patent and Trademark Office (USPTO) personnel are requested to contact Leonard Svensson at (714) 708-8555.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

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LRS/KR

Enclosures: Written Consent of the Assignee

Assignment of Joachim Tjaden

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope to: Commissioner of Patents and Trademarks, Washington

D.C. 20231 on: _______

(Date of deposit)

BIRCH-STEWART, KOLASCH & BIRCH, LLP

(Signature)

(Date of Signature)